

JC872 U.S. PTO  
10/045318  
11/09/01

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**CERTIFICATE OF MAILING BY "EXPRESS MAIL" UNDER 37 C.F.R. §1.10**

I hereby certify that this correspondence is being deposited with the United States Postal Service, utilizing the "Express Mail Post Office to Addressee" service addressed to **Box PATENT APPLICATION, Commissioner for Patents, Washington, DC 20231** and mailed on the above Date of Mailing with the above "Express Mail" mailing label number.

**CONTINUATION APPLICATION TRANSMITTAL LETTER**  
**UNDER 37 C.F.R. §1.53(b)(1)**

Dear Sir:

Transmitted herewith for filing as a ✓ continuation        divisional application under the continuing application procedure of 37 C.F.R. §1.53(b)(1) is a patent application identified as follows:

Title: METHOD FOR USING A HARD MASK FOR CRITICAL DIMENSION GROWTH CONTAINMENT

Inventor(s): Stephen P. DeOrnellas, Leslie G. Jerde, Alferd Cofer

No. of Pages in Specification: 21, No. of Claims: 41.

No. of Sheets of Drawings: 2 ; Formal: ✓ or Informal:   .

**Identification of Prior Complete Application**

Appl. No.: 09/692,007 Art Unit: 1765  
Filed: October 19, 2000 Examiner: L. Umez-Eronini  
Title: METHOD FOR USING A HARD MASK FOR  
CRITICAL DIMENSION GROWTH CONTAINMENT  
Inventor(s): Stephen P. DeOrnellas, Leslie G. Jerde, Alferd Cofer

**Delete the Following Inventor(s) for This Application:** (none)

**Declaration**

☒ A copy of the Declaration (signed by all inventors) and the Prior Complete Application and Figures are submitted herewith.

**Amendments**

☒ Please CANCEL in this application original claims 2-41 of the prior complete application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.) However, if this instruction results in cancellation of all original claims, please instead retain the lowest numbered original claim.

☒ Please AMEND the specification by deleting the amendatory sentence before the first line of the application and inserting therefor: "This application is a continuation of Serial No. 09/692,007 filed October 19, 2000, which is a continuation of Serial No. 09/009,369, filed January 20, 1998."

☐ A preliminary amendment is enclosed. Please enter the preliminary amendment before calculating the application filing fee. (Claims added must be consecutively numbered beginning with next number after highest number in prior complete application.)

**Petition for Extension of Time to Respond**

☒ No extension of time is required for the prior complete application.

**Power of Attorney**

☒ A power of attorney appears in the prior complete application.

**Assignment**

☒ The prior application is assigned of record to:  
Tegal Corporation

### Claim of Priority

\_\_\_\_\_ Priority of foreign application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_, in \_\_\_\_\_  
is claimed under 35 U.S.C. §1.119.

\_\_\_\_\_ The certified copy was filed in prior U.S. application Serial No. \_\_\_\_\_, filed \_\_\_\_\_

### Small Entity Statement

✓ Statement claiming small entity status was filed in the parent application Serial No. 09/009,369, on August 17, 1998 and its benefit under 37 C.F.R. §1.28(a) is hereby claimed.

### Also Enclosed Are:

\_\_\_\_\_ An Information Disclosure Statement under 37 C.F.R. §1.56.

### Filing Fee

The continuation/divisional patent application filing fee is calculated as shown below:

No. Filed	No. Extra		Rate Small Entity/ Other Than Small Entity		
Basic			\$370.00		
Fee			\$740.00	=	\$370.00
Total			\$ 9.00		
Claims <u>1</u> ** - 20	=	<u>0</u> *	\$ 18.00	=	\$-0-
Independent			\$ 42.00		
Claims <u>1</u> ** - 3	=	<u>0</u> *	\$ 84.00	=	\$-0-
First Presentation of			\$140.00		
Multiple Dependent Claim(s) _____			\$280.00	=	\$
Total PATENT APPLICATION FILING FEE:					<u>\$370.00</u>

\* If the difference is less than zero, enter "0".

\*\* Count claims after any amendment.

### Method of Payment of Fees

The total fee associated with this communication is calculated as follows:

Patent application filing fee	\$370.00
Net fee for extension of time (See attached petition)	\$
Assignment recordal fee (See attached cover sheet)	\$
TOTAL FEE DUE:	\$370.00

- ✓ A check in the amount of the TOTAL FEE DUE is enclosed.
- ✓ The Commissioner is hereby authorized to charge underpayment of any additional fees associated with this communication or credit any overpayment to Deposit Account No. 06-1325. A **duplicate** copy of this CONTINUATION OR DIVISIONAL APPLICATION TRANSMITTAL LETTER UNDER 37 C.F.R. §1.53(b)(1) form is enclosed.

### Correspondence Address

All correspondence should be addressed as follows:

Sheldon R. Meyer  
FLIESLER DUBB MEYER & LOVEJOY LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
Telephone (415) 362-3800

Direct all telephone calls to the undersigned attorney at (415) 362-3800.

Respectfully submitted,

Date: 9/10/01

By: Jason D. Lohr  
Jason D. Lohr  
Reg. No. 48,163

FLIESLER DUBB MEYER & LOVEJOY LLP  
Four Embarcadero Center, Fourth Floor  
San Francisco, California 94111-4156  
(415) 362-3800